

# **EXHIBIT “B”**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF SHEET METAL WORKERS  
INTERNATIONAL ASSOCIATION-LOCAL NO. 38,  
VACATION FUND, SHEET METAL WORKERS  
INTERNATIONAL ASSOCIATION LOCAL NO. 38  
INSURANCE AND WELFARE FUND, SHEET  
METAL WORKERS INTERNATIONAL  
ASSOCIATION LOCAL NO. 38 PROFIT SHARING  
PLAN, SHEET METAL WORKERS LOCAL 38  
LABOR MANAGEMENT COMMITTEE AND  
TRUST, SHEET METAL WORKERS LOCAL 38  
CRAFT TRAINING FUND, SHEET METAL  
WORKERS NATIONAL PENSION FUND, SHEET  
METAL WORKERS LOCAL 38 CRAFT TRAINING  
BUILDING FUND, TRUST FUNDS established and  
administered pursuant to federal law,

**NOTICE TO TAKE  
DEPOSITION UPON ORAL  
EXAMINATION**

Docket No.: 09-cv-5088(KK)

Assigned to:  
Hon. Kenneth M. Karas

Plaintiffs,

-against-

LAWRENCE P. HOPWOOD, MARTIN M. HOPWOOD,  
and RICHARD J. HOPWOOD, individually,

Defendants.

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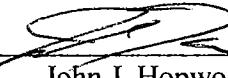
**PLEASE TAKE NOTICE**, that pursuant to Federal Rules of Civil Procedure, the defendants, **MARTIN M. HOPWOOD, JR. and RICHARD J. HOPWOOD**, will take the testimony of all adverse parties before a Notary Public as to all relevant facts and circumstances in connection with the cause of action and allegations herein including liability and damages, on the **27th day of October, 2010** at 10:00 in the forenoon of that day at the law offices of **MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**, 530 Saw Mill River Road, Elmsford, New York 10523.

**PLEASE TAKE FURTHER NOTICE**, that pursuant to the Federal Rules of Civil Procedure, the parties to be deposed are directed to produce at this examination, for the purpose of refreshing their recollections and for examinations, inspection and copying, all records, books,

photographs, documents, correspondence and other writings and papers in their possession or available to them, which relate to the matters herein on which the parties are to be examined under this notice.

Dated: Elmsford, New York  
August 25, 2010

By:

  
John J. Hopwood (JH/4444)

**MARKS, O'NEILL, O'BRIEN  
& COURTNEY, P.C.**  
Attorneys for Defendants  
**MARTIN M. HOPWOOD, JR. and  
RICHARD J. HOPWOOD**  
530 Saw Mill River Road  
Elmsford, New York 10523  
(914) 345-3701  
File No.: 800.76035

TO:

David J. Selwocki (DS1018)  
**SULLIVAN, WARD, ASHER & PATTON, P.C.**  
Attorneys for Plaintiffs  
25800 Northwestern Highway  
Suite 1000  
Southfield, MI 48075  
(248) 746-0700

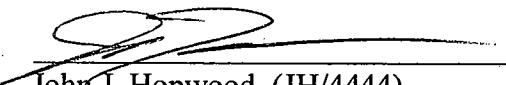
**LAWRENCE HOPWOOD**  
Pro Se Defendant  
47 Sturgis Road  
Bronxville, New York 10708

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on August 26, 2010, a true and correct copy of the foregoing **NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION**, was served by Overnight Mail, upon the following:

David J. Selwocki (DS1018)  
**SULLIVAN, WARD, ASHER & PATTON, P.C.**  
Attorneys for Plaintiffs  
25800 Northwestern Highway  
Suite 1000  
Southfield, MI 48075  
(248) 746-0700

**LAWRENCE P. HOPWOOD**  
Pro Se Defendant  
47 Sturgis Road  
Bronxville, New York 10708

  
John J. Hopwood (JH/4444)

**MARKS, O'NEILL, O'BRIEN  
& COURTNEY, P.C.**  
Attorneys for Defendants  
**MARTIN M. HOPWOOD, JR. and  
RICHARD J. HOPWOOD**  
530 Saw Mill River Road  
Elmsford, New York 10523  
(914) 345-3701

Index No. 09 CV 5088

Year

RJL No.

Hon.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF SHEET METAL WORKERS INTERNATIONAL ASSOCIATION-LOCAL NO. 38, VACATION FUND, SHEET METAL WORKERS INTERNATIONAL ASSOCIATION LOCAL NO. 38 INSURANCE AND WELFARE FUND, SHEET METAL WORKERS INTERNATIONAL ASSOCIATION LOCAL NO. 38 PROFIT SHARING PLAN, SHEET METAL WORKERS LOCAL 38 LABOR MANAGEMENT COMMITTEE AND TRUST, SHEET METAL WORKERS LOCAL 38 CRAFT TRAINING FUND, SHEET METAL WORKERS NATIONAL PENSION FUND, SHEET METAL WORKERS LOCAL 38 CRAFT TRAINING BUILDING FUND, TRUST FUNDS established and administered pursuant to federal law,

Plaintiffs,

-against-

LAWRENCE P. HOPWOOD, MARTIN M. HOPWOOD, JR. and RICHARD J. HOPWOOD, individually,

Defendants.

**NOTICE TO TAKE DEPOSITION UPON ORAL EXAMINATION**

**MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**

Attorneys for Defendants

**MARTIN M. HOPWOOD, JR. and RICHARD J. HOPWOOD**

Office and Post Office Address, Telephone

530 Saw Mill River Road

Elmsford, New York 10523

(914) 345-3701

To

Signature (Rule 130-1.1-a)

Print name beneath

Attorney(s) for

Service of a copy of the within

is hereby admitted.

Dated,

Attorneys for:

Please take notice

NOTICE OF ENTRY

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

NOTICE OF SETTLEMENT

that an order  
settlement to the HON.

of which the within is a true copy will be presented for  
one of the judges

of the within named court, at  
on

at M

Dated,

Yours, etc.

**MARKS, O'NEILL, O'BRIEN & COURTNEY, P.C.**

Office and Post Office Address

530 Saw Mill River Road

Elmsford, New York 10523

(914) 345-3701